

REMARKS

Reconsideration and allowance in view of the following remarks are respectfully requested. Claims 1-15, 20-24, 27, 28 and 30-33 are pending. No claims have been amended, canceled or added.

Rejection of Claims 20-24, 27, 28 and 30-33

On page 2 of the non-Final Office Action, the Examiner rejected claims 20-24, 27, 28 and 30-33 under 35 U.S.C. 103(a) as allegedly being unpatentable over “CharToon 2.0 Manual” by Noot et al. (“Noot”) in view of U.S. patent No. 6,018,774 to Mayle et al. (“Mayle”) and further in view of U.S. Patent No. 5,889,982 to Saito. Applicants respectfully traverse the rejection.

Independent claim 20 is directed to a method of enabling sender customization of an animated entity for use in delivering a multi-media message. The method includes, among other things, defining, by the sender, a symmetry axis for a face of the entity, such that a rotation of the face is defined in an image plane by computing an angle between image boundaries and an imaginary line defined by a point at a chin, a point at a nose tip, and a point at a top of a head of the face of the entity.

On page 3 of the Office Action, the Examiner admitted that Noot fails to disclose or suggest defining, by the sender, a symmetry axis for a face of the entity, such that a rotation of the face is defined in an image plane by computing an angle between image boundaries and an imaginary line defined by a point at a chin, a point at a nose tip, and a point at a top of a head of the face of the entity, as required by claim 20. Applicants further submit that Mayle also fails to disclose or suggest the above-mentioned feature.

On page 4 of the Office Action, the Examiner alleged that Saito, at Figs. 7-9, col. 3, lines 56-67, col. 5, lines 11-20 and col. 9, line 64 through col. 10, line 16, discloses or suggests defining, by the sender, a symmetry axis for a face of the entity, such that a rotation of the face

is defined in an image plane by computing an angle between image boundaries and an imaginary line defined by a point at a chin, a point at a nose tip, and a point at a top of a head of the face of the entity. Applicants respectfully disagree.

Saito, at col. 3, lines 56-67, discloses:

A sixth object of the present invention is to provide a line symmetrical figure shaping apparatus for allowing the user to designate an input coordinate point and an element for referencing the position of a symmetrical axis so as to generate a line symmetrical figure corresponding to the intention of the user.

A seventh object of the present invention is to provide a line symmetrical figure shaping apparatus for line-symmetrically shaping an input figure with respect to one of perpendicularly symmetrical axes even if the input figure is not symmetrical with respect to both the perpendicularly symmetrical axes.

Thus, Saito discloses providing a line symmetrical figure shaping apparatus to generate a line symmetrical figure according to the user's intention. However, this portion of Saito fails to disclose or suggest defining, by the sender, a symmetry axis for a face of the entity, such that a rotation of the face is defined in an image plane by computing an angle between image boundaries and an imaginary line defined by a point at a chin, a point at a nose tip, and a point at a top of a head of the face of the entity, as required by claim 20. Further, this portion of Saito is completely silent regarding any disclosure or suggestion with respect to image boundaries and an angle formed between the image boundaries and an imaginary line.

Saito, at col. 5, lines 11-20, discloses:

a symmetrical axis alternative calculating means for calculating symmetrical axis alternatives for determining a symmetry with the feature points stored in the feature point storing means;

a first determination symmetrical axis determining means for extracting the most horizontal symmetrical axis alternative and the most vertical symmetrical axis alternative from all the symmetrical axis alternatives calculated by the symmetrical axis alternative calculating means;

Thus, Saito discloses calculating symmetrical axis alternatives for determining a symmetry and extracting a most horizontal symmetrical axis alternative and a most vertical symmetrical axis alternative. However, this portion of Saito is completely silent regarding any disclosure or

suggestion with respect to image boundaries and an angle formed between the image boundaries and an imaginary line.

Saito, col. 9, line 64 through col. 10, line 16, discloses:

The following process is performed for one set of the symmetrical axis alternatives. The first symmetry input point set calculating means 24 successively traces input coordinate points on one side of the symmetrical axis alternative from one feature point that intersects with the symmetrical axis alternative to the other. At this point, the first symmetry input point set calculating means 24 places a perpendicular from an input coordinate point traced in the n-th tracing operation (where $n=1, 2, \dots$) to the symmetrical axis alternative. At this point, input coordinate points and input coordinate points opposite to the symmetrical axis alternative that intersects with the perpendiculars are treated as sets. Segments that connect these sets are treated as symmetry determination segments (see step A5 and FIG. 6).

Next, the first symmetrical axis distance calculating means 25 calculates the coordinates of the center points (for example C1) of the symmetry determination segments and calculates the distance I1 between the center point of each of the symmetry determination segments and the symmetrical axis alternative (at step A7).

Thus, Saito discloses performing a process on one set of symmetrical axis alternatives, as described above. However, this portion of Saito is completely silent regarding any disclosure or suggestion with respect to image boundaries and an angle formed between the image boundaries and an imaginary line.

Applicants carefully reviewed the Saito reference and found no disclosure or suggestion within the reference with respect to image boundaries and an angle formed between the image boundaries and an imaginary line. Consequently, Applicants submit that Saito is completely silent with respect to disclosing or suggesting defining, by the sender, a symmetry axis for a face of the entity, such that a rotation of the face is defined in an image plane by computing an angle between image boundaries and an imaginary line defined by a point at a chin, a point at a nose tip, and a point at a top of a head of the face of the entity, as required by claim 20.

For at least the reasons discussed above, Applicants submit that Noot, Mayle and Saito, either separately or in any combination, fail to disclose or suggest each and every feature of